

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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STEPHON M. P.,

Plaintiff,

**STIPULATION AND ORDER**

v.

5:23-cv-00235-DNH-CFH

KILOLO KIJAKAZI,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,

Defendant. -----x

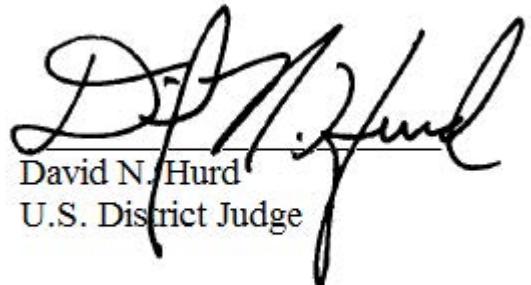
This matter having been opened to the Court by CARLA B. FREEDMAN, United States Attorney for the Northern District of New York, and Fergus Kaiser, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken and a new decision will be issued; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS ORDERED that

1. the final decision of the Commissioner be and hereby is REVERSED;
2. The matter is REMANDED to the Defendant for this further administrative action; and
3. The within matter, be and hereby is, DISMISSED in accord with the decision in

*Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

IT IS SO ORDERED:

  
David N. Hurd  
U.S. District Judge

Dated: 10-10-2023

The undersigned hereby consent to the form and entry of the within order.

CARLA B. FREEDMAN  
United States Attorney

Dated: New York, New York  
October 4, 2023

By: /s/ Fergus Kaiser  
FERGUS KAISER  
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Dated: New York, New York  
October 4, 2023

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*Attorney for Plaintiff*

By: /s/ Justin M. Goldstein  
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